

## REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on January 31, 2001. In the Office Action claims 6-9, and 14-16 are presented for examination. Claims 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Andrews et al. (USP 5,848,143) hereinafter Andrews in view of Gottlieb (US 5,920,621) hereinafter Gottlieb, or Lindeberg et al (US 6,094,479), hereinafter Lindeberg.

Applicant has studied the prior art provided by the Examiner in detail, and the Examiner's remarks in rejection of the claims. In response, the applicant provides an amendmetn to claim 14 in order to overcome the Examiner's 112 rejection. Applicant herein argues the validity of the obviousness rejection presented by the Examiner.

The Examiner provides a detailed response to applicant's arguments beginning on page 3, item 5, of the present Office Action. The Examiner states in response to applicant's argument that Gottlieb and/or Lindberg fail to teach an SCP that routes IPNT calls as claimed, the Examiner notes that Gottlieb and/or Lindberg were not cited for such teaching. The Examiner states that Gottlieb and Lindberg were cited for the teaching of SCP routing calls to agents using agents' status, and that when Gottlieb and/or Lindberg's SCP are used in Andrews's Internet telephony system, the SCP would then route Internet telephony calls in addition to regular telephone calls.

Applicant respectfully traverses the Examiner's reasoning above. The Examiner seems to be adding subject matter to the prior art that is

clearly absent in the actual teachings. Nowhere in the art of Gottlieb, Lindberg, or Andrews is a teaching or suggestion to control routing at the Internet Network level. Surely the Examiner is aware of the difference between IPNT in the Internet and conventional telephony. The processors in Gottlieb and Lindberg are unable to communicate with a router in a packet data network, such as the Internet, using an IPNT protocol as claimed. As agreed by both the Examiner and the Applicant, Andrews does not teach any network level routing. Therefore, the combination of Andrews, Gottlieb and/or Lindberg would fail because there is no component disclosed in the prior art capable of controlling a router in an Internet Network.

Applicant's invention expands on a recent development in telephony art is what is known as Internet Protocol Network Telephony (IPNT), wherein conventional telephone calls are simulated between computers over the data network known as the Internet, using microphones and speakers operating with the computers and a graphical user interface operable on each connected computer. At the time of the present patent application such data networks are considered largely "dumb" networks rather than intelligent networks, although some routing is done. Calls are routed in the Internet, for example, by IP addresses, and IP switches and hubs are capable of altering the destination of data packets by controlling IP addresses.

Applicant believes that the Examiner must provide a valid reference which provides a reasonable teaching of controlling routing in the Internet in order to substantiate a rejection of applicant's claims based on prior art. As argued previously, Gottlieb and Lindeberg do not teach intelligent routing of IPNT calls at all, nor do they suggest the desire to do so. At the time the present invention was filed intelligent routing at the Internet network level did not exist in the art. Internet routing nodes known in the

art are simply not capable of doing skill based routing. These nodes are limited to using routing tables only. Applicant's invention provides a new and innovative approach to IPNT call routing wherein a SCP in the Internet has access to specific information from an IPNT capable call center to intelligently route IPNT calls at the data network level.

Applicant believes claim 6 is clearly patentable over the 103 rejection presented by the Examiner. Claims 7-9 are patentable at least as depended from a patentable claim.

Claim 14 recites a connection between an Internet routing server in the Internet and a database at the customer premises storing processed information about transactions in the call center, including at least one of call volume, agent status, or agent skills at the remote IPNT call center. As argued on behalf of claim 6 above, the prior art simply fails to provide this type of Intelligent routing at the Internet network level.

Applicant believes claim 14 is patentable over the prior art provided by the Examiner. Claim 15 is patentable at least as depended from a patentable claim.

Claim 16 is applicant's method claim associated with base claim 14. Claim 16 clearly recites a CTI processor having a connection to a database in the Internet wherein the routing processor in the Internet uses the information in the database to perform intelligent routing for incoming IPNT calls.

As previously argued on behalf of claim 6 and 14 above, the prior art does not specifically teach any connections to routing processors, servers or nodes, in the Internet enabling intelligent routing of the incoming IPNT calls. Applicant believes this aspect is inventive and certainly not suggested, nor is a combination of the art suggested in the art of Andrews, Gottlieb or Lindeberg. Therefore, claim 16 is also patentable over the prior art presented by the Examiner.

As all of the claims presented by the applicant have been shown to be patentable over the prior art in this case, applicant respectfully requests reconsideration to allow the claims, and the case passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

## Marked-Up Claims

14. (Once Amended) An Internet Protocol Network Telephony (IPNT) call processing system in the Internet for routing incoming calls to at least one agent workstation in an IPNT-capable call center, comprising:

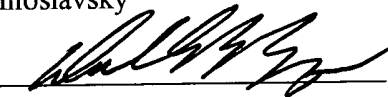
an Internet routing server in the Internet for routing IPNT calls; and

a database connected to the Internet routing server receiving and storing processed information about transactions in the call center, including at least one of call volume, agent status, or agent skills at the remote IPNT call center;

wherein the Internet routing server selects final destinations for the incoming calls based on the stored processed information about transactions at the [remote] IPNT-capable call centers.

Respectfully Submitted,  
Alec Miloslavsky

by



Donald R. Boys  
Reg. No. 35,074

Donald R. Boys  
Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457